

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Erkki TANSKANEN

Serial No.: 09/981,688

Filed: October 17, 2001

For: Real-Time, Interactive and
Personalized Video Services

Atty. Docket No.: 004770.00566

Confirmation No. 6692

Group Art Unit: 2179

Examiner: Xiomara L.
BAUTISTA

PETITION TO ACT ON PREVIOUSLY-FILED PETITION
AND
PETITION TO CONFIRM PRIORITY CLAIMS

U.S. Patent and Trademark Office
Customer Service Window, **Mail Stop Petitions**
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicants hereby petition the Patent Office to act on the petition filed on October 17, 2001, and entitled "Petition For Revival of Unintentionally Abandoned International Application Under 37 CFR §1.137(b)" and, in accordance with the same, to confirm the priority claims of the present application to international patent application no. PCT/US00/14694, filed May 30, 2000, and U.S. patent application no. 60/136,589 filed May 28, 1999. The following papers are attached hereto:

- "Petition for Revival of Unintentionally Abandoned International Application Under 37 CFR §1.137(b)," which was filed along with the present application on October 17, 2001; and
- An Information Disclosure Statement filed herewith, which provides relevant information regarding the priority claims of the present application.

Applicants respectfully submit that the petition of October 17, 2001, should be granted for the reasons stated therein. Further, Applicants respectfully request confirmation of the priority claims for the present application in view of the petition filed on October 17, 2001,

the official filing receipt mailed thereafter on November 16, 2001 (indicating the present application is a continuation of international patent application no. PCT/US00/14694), and the official filing receipt mailed on January 28, 2002 (indicating the present application is a continuation of international patent application no. PCT/US00/14694 and claims the benefit of U.S. patent application no. 60/136,589 filed May 28, 1999, to which international patent application no. PCT/US00/14694 also claims priority).

Respectfully submitted,

Dated: November 22, 2006

By: /Anthony W. Kandare/
Anthony W. Kandare, Reg. no. 48,830

Banner & Witcoff, Ltd.
1001 G Street, N.W.
Washington, D.C. 20001-4597
(202) 824-3000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PCT/U.S. RECEIVING OFFICE (RO/US)

In re International Application: NOKIA CORPORATION
International Application No.: PCT/US00/14694
International filing date: May 30, 2000
For: REAL-TIME, INTERACTIVE AND
PERSONALIZED VIDEO SERVICES

**PETITION FOR REVIVAL OF UNINTENTIONALLY ABANDONED
INTERNATIONAL APPLICATION UNDER 37 CFR §1.137(b)**

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

October 17, 2001

Sir:

Applicants hereby petition to revive unintentionally abandoned International Application PCT/US00/14694, filed May 30, 2000 in the United States Patent and Trademark Office which designated the United States and other countries to permit entry into the National Phase by the filing of a continuation application claiming the benefit of priority from the International Application under 35 USC §365(c) and 35 USC §120.

Applicants hereby submit that the entire delay in filing the required reply, namely entering the National Phase by filing the continuation application, from the due date for the required reply until the filing date of a granted petition under 37 CFR §1.137(b) was unintentional.

As per the above, the International Application was filed on May 30, 2000 in the United States Patent and Trademark

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Office as the Receiving Office (RO) designating all states including the United States. After filing said International Application Applicants filed on August 29, 2000 a Request for Correction of the Applicant In The Receipt of Record Copy to reflect that one of the Applicants is Nokia Inc., for the United States (US). Thereafter, a Demand for International Preliminary Examination was timely filed on December 27, 2000. Thus, International Preliminary Examination was to proceed in the European Patent Office based on the originally filed International Application.

On January 31, 2001, the International Bureau issued a Communication notifying Applicants that a change in the Request Form was made to indicate the inventors as Inventors/Applicants for the US only. On February 14, 2001, a further Communication was issued from the International Bureau requesting Applicants agreement to a change to reflect that Applicants Nokia Corporation are Applicants for all countries except the US and that the inventors are Applicants for U.S. only.

The above described confusing set of communications caused Applicants to inadvertently through error and misunderstanding filed a Request for Withdrawal of Designated State (US only) on February 21, 2001. It was Applicants intention to enter the US via the National Phase and therefore the inventors were to be indicated as Inventors/Applicants for the US. Upon uncovering this error Applicants filed a Revocation of the Request for Withdrawal of Designated State

(US only) on May 30, 2001 so as to revoke the February 21, 2001 Request for Withdrawal of Designated State (US only) since it was always Applicants intention to enter the US via the National Phase. However, a communication was issued on July 5, 2001 indicating that the "Patent Cooperation Treaty does not provide for the reinstatement of a designated state that has been withdrawn".

Thus, to the extent the International Application is abandoned such abandonment occurred through error, inadvertence and completely unintentional. Therefore, based on the above, Applicants hereby request revival of the International Application so as to permit entry of the National Phase in the U.S. by the filing of the attached Continuation Application.


Favorable consideration of this Petition is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli,

Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135
(017.38084A00).

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Carl I. Brundidge
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Erkki TANSKANEN

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Atty. Docket No.: 004770.00566

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BAUTISTA

INFORMATION DISCLOSURE STATEMENT

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Pursuant to 37 C.F.R. § 1.56 and in accordance with Applicants' duty of candor and good faith in dealing with the Patent Office, Applicants respectfully provide the information listed below pertaining to the priority claims of the present application.

- International patent application no. PCT/US00/14694, from which the present application claims priority, designated the United States of America when originally filed on May 30, 2000, at the U.S. Receiving Office of WIPO. Neither the Assignee nor the inventors resided in the U.S. at the time of filing.
- Applicants filed a paper entitled "Request for Correction of the Applicant in the Receipt of Record Copy" on August 29, 2000, to reflect that, for the United States, one of the applicants was Nokia, Inc.
- A demand for international preliminary examination was timely filed on December 27, 2000, with the European Patent Office, so that international preliminary examination would proceed in the European Patent Office.
- The International Bureau of WIPO (IB) issued a communication on January 31, 2001, notifying Applicants that a change in the Request Form was made to indicate the inventors as inventors/applicants for the US only.

- The IB issued a further communication on February 14, 2001, requesting Applicants agreement to a change to reflect that applicant Nokia Corporation is an applicant for all countries and that the inventors are applicants for the U.S. only.
- In view of the above described confusing set of communications, on February 21, 2001, Applicants inadvertently through error and misunderstanding filed a paper with the IB entitled “Request for Withdrawal of Designated State (U.S. only)” to withdraw the US as a designated state. Applicants intended to enter the US via the national phase and therefore the inventors were to be indicated as inventors/applicants for the US.
- The IB granted the request to withdraw the US as a designated state on February 28, 2001.
- International patent application no. PCT/US00/14694 published as WO 01/15450 on March 1, 2001, which included the US in the list of designated states.
- Upon uncovering the error, on May 30, 2001, Applicants filed a paper entitled “Revocation of the Request for Withdrawal of Designated State (US only)” with the IB to revoke the incorrect request.
- International patent application no. PCT/US00/14694 re-published on June 14 2001 to remove the US as a designated state.
- The IB issued a communication on July 5, 2001, which denied Applicants’ request to revoke withdrawal of the US as a designated state and instructed Applicants to pursue any further proceedings with appropriate national offices.
- The present application as filed on October 17, 2001 claimed priority to international patent application no. PCT/US00/14694.
- Along with filing the present application, on October 17, 2001, Applicants filed a paper entitled “Petition for Revival of Unintentionally Abandoned International Application Under 37 C.F.R. §1.137(b)” with the Patent Office. A formal response to this petition has not been received by Applicants.
- The filing receipt mailed by the Patent Office on November 16, 2001, indicates that the present application is a continuation of international patent application no. PCT/US00/14694.

- The updated filing receipt mailed by the Patent Office on January 28, 2002, indicates that the present application is a continuation of international patent application no. PCT/US00/14694 and claims the benefit of U.S. patent application no. 60/136,589 filed May 28, 1999, to which international patent application no. PCT/US00/14694 also claims priority.
- Applicant submits herewith to the Office of Petitions a “Petition to Act on Previously-filed Petition and Petition to Confirm Priority Claims.”

Respectfully submitted,

Dated: November 22, 2006

By: /Anthony W. Kandare/
Anthony W. Kandare, Reg. no. 48,830

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